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FACSIMILE TRANSMISSION

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Total # of Pages 12 (including this page)

TO:	PHONE #:	FAX #:
United States Patent and Trademark Office Mail Stop Amendment Examiner: T. Ton Art Unit: 1632		571-273-8300

From : Richard J. Warburg

Email Address : rwarburg@foley.com

Sender's Direct Dial : 858.847.6767

Date : November 8, 2006

Client/Matter No : 073442-0301

User ID No : 1879

U.S. Application No.: 09/675,509

Docket No.: 073442-0301

MESSAGE:

Please find enclosed:

Transmittal (3 pages);

Amendment and Reply Under 37 C.F.R. 1.111 (8 pages).

If there are any problems with this transmission or if you have not
received all of the pages, please call 858-847-6700.

Operator:	Time Sent:	Return Original To: Vanessa E. Agha
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Cover Page 1 of 1

DLMR_283108.1

PAGE 1/12 * RCVD AT 11/8/2006 2:42:53 PM [Eastern Standard Time] * SVR:USPTO-EFXXRF-3/1 * DNIS:2738300 * CSID: * DURATION (mm-ss):03-20

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Atty. Dkt. No. 073442-0301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chandler Fulton, et al.
Title: THIAMINASES AND
THIAMINASE GENES FOR USE
IN APOPTOTIC THERAPIES
Appl. No.: 09/675,509
Filing Date: 9/29/2000
Examiner: T. Ton
Art Unit: 1632
Conf. No.: 1879

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. <u>Vanessa E. Agha</u> (Printed Name) <u>Vanessa E. Agha</u> (Signature) <u>November 8, 2006</u> (Date of Deposit)
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AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ [X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous
assertion of Small Entity status.
- ☒ [X] Amendment and Reply Under 37 CFR 1.111 (8 pages).
- ☐ [] Assertion of Small Entity status is enclosed.

NOV 08 2006

Atty. Dkt. No. 073442-0301

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee	
Total Claims:	8	-	31	=	0	x	\$50.00	=	\$0.00	
Independent Claims:	4	-	8	=	0	x	\$200.00	=	\$0.00	
First presentation of any Multiple Dependent Claims:							+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL									=	\$0.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

Atty. Dkt. No. 073442-0301

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date November 8, 2006

FOLEY & LARDNER LLP
Customer Number: 30542
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By 

Richard J. Warburg
Attorney for Applicant
Registration No. 32,327

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Atty. Dkt. No. 073442-0301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AMENDMENT AND REPLY UNDER 37 CFR 1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated August 8, 2006,
concerning the above-referenced patent application.

Amendments to the Claims are reflected in the **Listing of Claims** which begins on page
2 of this document.

Remarks begin on page 4 of this document.

-1-

DLMR_291107.1